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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/743,990

12/22/2003

Amit Garg

2001-0526DIV3

9025

7590

09/20/2006

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EXAMINER

HASHEM, LISA

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/743,990

Applicant(s)

GARG ET AL.

Examiner

Lisa Hashem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25,26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25,26,28 and 30 is/are rejected.
- 7) ☒ Claim(s) 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

FINAL DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,529,500 by Pandharipande, in view of U.S. Patent No. 5,995,594 by Shaffer et al, hereinafter Shaffer.

Regarding claim 25, Pandharipande discloses in a telephone network (Fig. 1, 10) that includes

a voicemail server (Fig. 1: 27, 30; Unified Messaging sever (UM)) that stores messages (col. 4, lines 16-27; col. 4, line 64 – col. 5, line 8) and

a message notification server (Fig. 1, 25; Message-Waiting Interface server (MWI) server) that notifies a subscriber device (Fig. 1: 11, 13; CPE, MWI; col. 3, lines 36-50) of a message stored in the voicemail server by receiving a voicemail status call from the subscriber (col. 5, lines 20-32), the improvement comprising:

multiple mailbox partitions (e.g. mailboxes) formed within the voicemail server and associated with a single telephone line of the network (e.g. dialing a MWI server; access telephone number; col. 5, lines 20-51),

respective unique network IDs (e.g. ANIs) associated with respective ones of the multiple mailbox partitions (col. 5, lines 9-67; col. 7, lines 8-23), and

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a controller (e.g. within UM server) that stores a voicemail message in a partition associated with one of the unique network IDs (e.g. ANIs) (col. 4, line 64 – col. 5, line 8; col. 5, lines 9-67) and that effects transmission of a change in voicemail status message during the message notification server-initiated voicemail status call (col. 5, line 9 – col. 6, line 24).

Pandharipande discloses a subscriber or subscriber device initiating a voicemail status call to the message notification server. However, Pandharipande does not disclose a message notification server initiating a voicemail status call to the subscriber.

Shaffer discloses in a telephone network (Fig. 1) that includes a voicemail server (Fig. 1, 22) that stores messages and a message notification server (Fig. 1, 20) that notifies a subscriber device (Fig. 1, 12) of a message stored in the voicemail server by initiating a voicemail status call to the subscriber (Fig. 1, 10), the improvement comprising: a mailbox formed within the voicemail server (Fig. 1, 24) and associated with a single telephone line of the network (col. 3, lines 14-15; col. 3, lines 24-55; Fig. 1), a controller (e.g. software program in switch) that effects transmission of a change in voicemail status message during the message notification server-initiated voicemail status call (col. 4, lines 34-39) to a subscriber device in response to one of receipt of a new voicemail message for the subscriber (col. 3, lines 5-23; col. 3, line 56 – col. 4, line 5).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the improvement of Pandharipande to include a message notification server initiating a voicemail status call to the subscriber as taught by Shaffer. One of ordinary skill in the art would have been lead to make such a modification since a voicemail status call by a message notification server can notify the subscriber device of a new voice message for a

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subscriber that is stored in a voicemail server or a change in message status when a call has not been received from the subscriber's CPE device during a prescribed period of time.

Regarding claim 26, the improvement of claim 25, wherein Pandharipande further discloses the transmitted voicemail status message includes one of multiple unique IDs so as to identify a specific partition of the multiple mailbox partitions having a new voicemail message (col. 5, line 54 – col. 6, line 24; Figs. 4, 5; col. 8, lines 51-59).

3. Claims 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pandharipande in view of Shaffer.

Regarding claim 28, Pandharipande discloses in a telephone network (Fig. 1, 10) that includes a voicemail server (Fig. 1: 27, 30; Unified Messaging sever (UM)) that stores messages (col. 4, lines 16-27; col. 4, line 64 – col. 5, line 8) and a message notification server (Fig. 1, 25; Message-Waiting Interface server (MWI) server) that notifies a subscriber device (Fig. 1: 11, 13; CPE, MWI; col. 3, lines 36-50) of a message stored in the voicemail server by receiving a voicemail status call from the subscriber (col. 5, lines 20-32), the improvement comprising: at least one unique caller-ID number (e.g. ANI) associated with the status of messages at said voicemail server for that subscriber (e.g. using the ANI information received to access a target subscriber's mailbox to check for new messages), and a controller responsive to the subscriber device to transmit the at least one unique caller-ID for that subscriber during the voicemail status call, according to the status of messages for that

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subscriber at said voicemail server (e.g. an outgoing call is made by the CPE device to check for new messages at the UM server) (col. 5, lines 20-67).

Pandharipande discloses a subscriber or subscriber device initiating a voicemail status call to the message notification server. However, Pandharipande does not disclose a message notification server initiating a voicemail status call to the subscriber.

Shaffer discloses in a telephone network (Fig. 1) that includes a voicemail server (Fig. 1, 22) that stores messages and a message notification server (Fig. 1, 20) that notifies a subscriber device (Fig. 1, 12) of a message stored in the voicemail server by initiating a voicemail status call to the subscriber (Fig. 1, 10), the improvement comprising: a mailbox formed within the voicemail server (Fig. 1, 24) and associated with a single telephone line of the network (col. 3, lines 14-15; col. 3, lines 24-55; Fig. 1), a controller (e.g. software program in switch) that effects transmission of a change in voicemail status message during the message notification server-initiated voicemail status call (col. 4, lines 34-39) to a subscriber device in response to one of receipt of a new voicemail message for the subscriber (col. 3, lines 5-23; col. 3, line 56 – col. 4, line 5).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the improvement of Pandharipande to include a message notification server initiating a voicemail status call to the subscriber as taught by Shaffer. One of ordinary skill in the art would have been lead to make such a modification since a voicemail status call by a message notification server can notify the subscriber device of a new voice message for a subscriber that is stored in a voicemail server or a change in message status when a call has not been received from the subscriber's CPE device during a prescribed period of time.

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Regarding claim 30, the improvement of claim 28, wherein the voicemail server includes multiple sub-mailboxes (e.g. message types of messages within a target subscriber's mailbox, such as: email, voicemail, fax mail, videomail) assigned to a single telephone line of a single subscriber (col. 4, lines 16-27; col. 4, line 65 – col. 5, line 8; col. 5, line 54- col. 6, line 24), each sub-mailbox having a unique indicator for display on the subscriber device so as to identify which sub-mailbox has received a new voicemail message (col. 5, line 54 – col. 6, line 24; Figs. 4, 5; col. 8, lines 51-59).

Allowable Subject Matter

4. Claim 29 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim, claim 28, and any intervening claims.

None of the prior art discloses transmitting a first unique caller-ID number according to a presence of a new voicemail message for a subscriber and a second unique caller-ID number when no voicemail message is present for the subscriber as claimed in Claim 29.

Response to Arguments

5. All drawing objections, double patenting rejections, and 35 USC 112 rejections listed in the Non-Final Rejection filed on 3-21-2006 have been withdrawn.

6. Applicant's arguments with respect to claims 25, 26, and 28-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

9. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

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September 11, 2006

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY OF
